

**UTILITY DECLARATION
AND POWER OF ATTORNEY
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS AND METHOD FOR PROTECTING SHIPS AND HARBORS FROM ATTACK BY VESSELS the specification of which

(Check One) ☒ is attached hereto OR
☐ was filed on _____ as United States Application Serial No. SerialNumber or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Date of Filing | Priority Claimed | |
|--|---------|----------------|------------------|----|
| | | | Yes | No |
| None | | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date |
|-----------------------|--------------|
| 60/293,399 | May 24, 2001 |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date | Status-Patented, Pending or Abandoned |
|-----------------------------------|-------------------|--------------------|---|
| None | | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified invention application, all of the registered practitioners identified by Customer Number 22249:



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

Please direct all inquiries to **Samuel B. Stone**, at the above Customer Number.


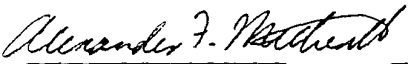
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | | |
|---|-------------------------|----------------------|--------------------------------|------------------------|----------------------------------|
| 201 | FULL NAME OF INVENTOR | FIRST Name MARK | MIDDLE Initial B. | LAST Name METHERELL | |
| | RESIDENCE & CITIZENSHIP | City Laguna Beach | State or Foreign Country CA | | Country of Citizenship U.S.A. |
| | POST OFFICE ADDRESS | 543 Brook Street | City Laguna Beach | State or Country CA | Zip Code 92651 |
| INVENTOR'S SIGNATURE <u>M. B. Metherell</u> DATE <u>23 MAY 2002</u> | | | | | |

| | | | | | |
|--|-------------------------|-------------------------|--------------------------------|------------------------|----------------------------------|
| 202 | FULL NAME OF INVENTOR | FIRST Name ALEXANDER | MIDDLE Initial F. | LAST Name METHERELL | |
| | RESIDENCE & CITIZENSHIP | City Laguna Beach | State or Foreign Country CA | | Country of Citizenship U.S.A. |
| | POST OFFICE ADDRESS | 90 Emerald Bay | City Laguna Beach | State or Country CA | Zip Code 92651 |
| INVENTOR'S SIGNATURE <u>Alexander F. Metherell</u> DATE <u>23 May 2002</u> | | | | | |

| | | | | | |
|---------------------------------------|-------------------------|------------|--------------------------|------------------|------------------------|
| 203 | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name | |
| | RESIDENCE & CITIZENSHIP | City | State or Foreign Country | | Country of Citizenship |
| | POST OFFICE ADDRESS | | City | State or Country | Zip Code |
| INVENTOR'S SIGNATURE _____ DATE _____ | | | | | |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|---|--|
| STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(b)) – INDEPENDENT INVENTOR | | Docket Number (Optional) <u>265/211</u> |
| Applicant, Patentee, or Identifier: <u>MARK B. METHERELL and ALEXANDER F. METHERELL</u> | | |
| Application or Patent No.: <u>Unassigned</u> | | |
| Filed or Issued: <u>Herewith</u> | | |
| Title: <u>APPARATUS AND METHOD FOR PROTECTING SHIPS AND HARBORS FROM ATTACK BY VESSELS</u> | | |
| As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in: | | |
| <input checked="" type="checkbox"/> the specification filed herewith with title as listed above. | | |
| <input type="checkbox"/> the application identified above. | | |
| <input type="checkbox"/> the patent identified above. | | |
| I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). | | |
| Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below: | | |
| <input checked="" type="checkbox"/> No such person, concern, or organization exists. | | |
| <input type="checkbox"/> Each such person, concern, or organization is listed below. | | |
| Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27) | | |
| I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) | | |
| Mark B. Metherell NAME OF INVENTOR | Alexander F. Metherell NAME OF INVENTOR | NAME OF INVENTOR |
|  Signature of inventor |  Signature of inventor | Signature of inventor |
| <u>23 MAY 2002</u> Date | <u>23 May 2002</u> Date | Date |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.